

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1-7 are pending in this application. Claim 1 is independent. Claims 2 and 3 are amended in this response. Claims 4 and 6 are hereby cancelled. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §§102 & 103

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 4,649,074 to Borel ("Borel") and under 35 U.S.C. § 102(e) as allegedly anticipated by Levine (AI Application US 2004/0033856). Claims 2 and 5 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Borel in view of Japanese Patent JP 10-29252. Claim 3 was rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Levine in view of U.S. Patent No. 3,263,799 to Bascom.

Independent claim 1 recites, *inter alia*:

"A belt for use on a corrugator machine ... including a plurality of metal spirals, each spiral defining an internal space, wherein the spirals are interconnected by a series of parallel pintles extending through the internal spaces of adjacent spirals." (emphasis added)

As understood by the Applicant, Borel relates to a papermachine fabric comprising a spiral link belt covered with a sheet of non-woven fabric with the fiber ends being entangled with the elements of the spiral link belt. The non-woven fabric is bonded to the spiral link belt through hydroentanglement. Applicant submits that Borel, however, does not teach or disclose the above identified feature of claim 1. Specifically, Borel does not teach or suggest the use of a plurality of metal spirals to make up the fabric, as recited in instant claim 1.

As to Levine, it relates to an on-machine-seamable industrial belt comprising a coated spiral base with a pin seam that offers easy installation. The belt construction includes a helical spiral base produced from primarily polyester monofilament or blends thereof. While it states that metal can be used to form the spirals, the belt requires a coating that penetrates and encapsulates at least the top spiral filament and extends beyond the top surface of the base (Abstract). The belt of the present invention has no such coating. Moreover, the belt involved in Levine is a pin spotter belt and rather than a belt according to the present invention which is for a corrugator machine.

For at least the foregoing reasons Applicant submits that independent claim 1 is patentable over Borel and Levine.

III. DEPENDENT CLAIMS

Since claims 2, 3, 5 and 7 are each dependent from independent claim 1 discussed above, they are also patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.


CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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